

IN THE CIRCUIT COURT OF HOUSTON COUNTY, ALABAMA

ZANDRA THORNTON,)
vs.) CIVIL DIVISION
Plaintiff,)
vs.) CASE NO. CV-2006-013 W
JC PENNY COMPANY, INC.)
and FICTITIOUS DEFENDANTS, "A", "B",)
"C", "D", "E" AND "F", WHETHER SINGULAR)
OR PLURAL, THOSE OTHER PERSONS,)
FIRMS, CORPORATIONS OR OTHER)
ENTITIES WHOSE WRONGFUL CONDUCT)
CAUSED OR CONTRIBUTED TO CAUSE THE)
INJURIES AND DAMAGES TO THE)
PLAINTIFF, ALL OF WHOSE TRUE AND)
CORRECT NAMES ARE UNKNOWN TO THE)
PLAINTIFF AT THIS TIME BUT WILL BE)
SUBSTITUTED BY AMENDMENT WHEN)
ASCERTAINED,
Defendants.)

FILED

JAN 10 2006

Judy Byrd
JUDY BYRD, CLERK
HOUSTON CO., AL

COMPLAINT

COMES NOW the Plaintiff in the above-styled cause and as a basis for the relief hereinafter prayed for states as follows:

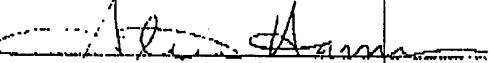
1. The matters in dispute, exclusive of costs, exceed the minimum jurisdictional requirements of this Court.
2. The Plaintiff, Zandra Thornton, at all times material to this action, was a resident of Dale County, Alabama.
3. Defendant, J.C. Penny Company, Inc., based on information and belief, is a Delaware Corporation qualified to transact business within the State of Alabama.
4. The incident which is the subject of this complaint occurred in Houston County, Alabama.
5. On or about April 21, 2005, the Plaintiff was injured while an invitee on the premises of the Defendant located in Dothan, Houston County, Alabama. Plaintiff was injured when she entered the restroom and slipped and fell in water that covered the floor of the restroom.

6. Defendant was aware or should have been aware of the dangerous and hazardous condition on its premises and failed to use ordinary care in maintaining the premises so as to prevent an unreasonable risk of harm.

7. As a proximate consequence of the Defendant's negligent conduct, the Plaintiff was caused to suffer serious bodily injury. In addition, Plaintiff has been caused to suffer other consequential damages, losses and financial hardships as a result of the above-described incident.

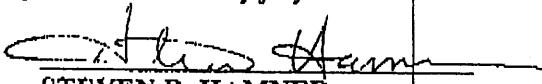
WHEREFORE, the Plaintiff seeks compensatory damages against the Defendant in excess of \$50,000.00 or in such sums as a jury may deem appropriate under the circumstances and as the evidence may show, plus the costs of this action and reasonable attorney's fees.

Dated this 10th day of JANUARY, 2006.


STEVEN R. HAMNER (HAM077)
ATTORNEY FOR PLAINTIFF
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DOOTHAN, ALABAMA 36302
102 SOUTH ORANGE AVENUE
DOOTHAN, AL 36301
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FAX: (334) 673-1933

JURY DEMAND

Plaintiff hereby demands a trial by jury.


STEVEN R. HAMNER

SERVE DEFENDANTS AS FOLLOWS:

J.C. Penney Company, Inc.
The Corporation Company
2000 Interstate Park Suite 204
Montgomery, Alabama 36109